* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ LPA 1389/2007

STRUCTURAL WATER PROOFING CO. LTD. ..... Appellant
Through:Mr. M. Dutta with Mr. Ashish Rana, Advocates.

versus

S.CHAKRABORTY & ANR. ..... Respondents
Through:

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV KHANNA

O R D E R

% **20.12.2007**

CM No.17674/2007(exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

LPA 1389/2007 & CM No.17673/2007(stay)

The appellant is aggrieved, as stated by the counsel appearing for the appellant, by the order passed by the learned Single Judge directing for depositing the entire awarded amount within a period of four weeks. It is pointed out by him that on the one hand the appellant has been directed to deposit/pay litigation expenses in the sum of Rs.7,000/- to the workman so as to enable him to fight out this

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litigation and on the other hand the entire awarded amount was directed to be deposited within within four weeks.

We find no justification in the grievance raised by the appellant. The learned Single Judge has directed for payment of litigation expenses to the respondent in view of the fact that the respondent has to fight this litigation which is preferred by the appellant. The award envisages for payment of 50% of the back wages, which by the impugned order is directed to be deposited in the Court. There is no order passed by the learned Single Judge for payment of the said amount to the respondent workman. The said amount shall be deposited by the appellant within four weeks from today which, once deposited shall be kept in a fixed deposit initially for a period of six months. All endeavour shall be made by the learned Single Judge to dispose of the writ petition as early as possible.

With these observations the appeal stands disposed of.

CHIEF JUSTICE

SANJIV KHANNA, J

December 20, 2007
Rohtash

– Fresh CM No: 610/08 for Modification